

Message Text

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ORIGIN ERDA-07

INFO OCT-01 EUR-12 ISO-00 OES-05 /025 R

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FM SECSTATE WASHDC

TO AMEMBASSY PARIS NIACT IMMEDIATE

UNCLAS STATE 047133

E.O. 11652; N/A

TAGS: TECH

SUBJECT: MOU FOR SNRS-ERDA SOLAR BOILER COOPERATION

REF: PARIS 33951

REQUEST FOLLOWING BE PASSED TO GIAMBUSSO FOR USE IN POSSIBLE
DISCUSSIONS WITH CNRS, FRIDAY, FEB. 27.

1. AS REPORTED REFTEL A, CNRS DRAFT MOU (REF. B) SECTION III,
PARA. 6 PROPOSES ESTABLISHMENT OF SAFETY COMMITTEE. THIS
AGREEABLE IN PRINCIPLE PROVIDED CNRS AGREES ASSUME RESPONSI-
BILITY FOR SAFE OPERATION OF TEST FACILITY AND AGREES INDEMNIFY
ERDA FROM LIABILITY RESULTING FROM OPERATION OF CNRS TEST
FACILITY.

2. CONCERNING SECTION V(PATENTS), WE PREFER TO RETURN TO
LANGUAGE FOUND IN SECTION V OF JUNE 16, 1975, DRAFT. CNRS
PROPOSED LANGUAGE IN SECTION V WOULD PERMIT CNRS TO OWN RIGHTS
IN ALL COUNTRIES OF THE EUROPEAN COMMUNITY. THIS POSES
SEVERAL PROBLEMS. FIRST, WE VISUALIZE THAT MOU WOULD PROVIDE
FOR BALANCED EXCHANGE OF RIGHTS BETWEEN ERDA AND CNRS, WHEREAS
CNRS PROPOSAL WOULD UPSET THIS BALANCE BY GIVING CNRS
RIGHTS IN ALL NINE EC COUNTRIES, WHEREAS ERDA WOULD HAVE
RIGHTS ONLY IN U.S. AND CANADA. SECOND, THE CNRS
PROPOSAL WOULD REPRESENT A SUBSTANTIAL DEVIATION FROM OTHER
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AGREEMENTS BEING NEGOTIATED WITH OTHER COUNTRIES, AND COULD

PLACE ERDA IN IMPOSSIBLE POSITION OF PROMISING SAME RIGHTS
OVER IDENTICAL SUBJECT MATTER TO CNRS AND TO CORRESPONDING
AGENCIES OF VARIOUS EC COUNTRIES.

3. FYI: RESOLUTION OF ABOVE MATTERS, ESPECIALLY PATENT
PROBLEM, URGENTLY NEEDED IN VIEW OF SHORT TIME REMAINING
BEFORE TEST SCHEDULED TO BEGIN AT ODEILLO M6-JUNE 1976.

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